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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/592,285	06/12/2000	KEN UTAGAWA	106477	5210
25944	7590	11/30/2004	EXAMINER	
OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			EDWARDS, PATRICK L	
			ART UNIT	PAPER NUMBER
			2621	

DATE MAILED: 11/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/592,285

Applicant(s)

UTAGAWA, KEN

Examiner

Patrick L Edwards

Art Unit

2621

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 24 September 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
- ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☒ The proposed amendment(s) will not be entered because:
- (a) ☒ they raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ they raise the issue of new matter (see Note below);
- (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☐ The a) ☐ affidavit, b) ☐ exhibit, or c) ☐ request for reconsideration has been considered but does NOT place the application in condition for allowance because: _____.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: _____.

Claim(s) withdrawn from consideration: _____.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____

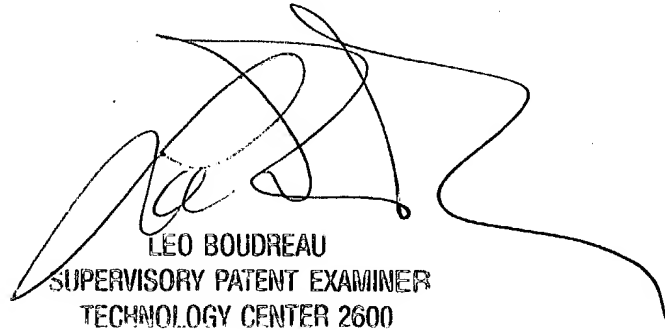
Continuation of 2. NOTE:

Although the amendment to claims 13 and 19 appears to clear up the 112 rejection of those claims from the previous office action, this amendment also changes the scope of the claim and therefore raises new issues that would require further search and consideration. Since further search and consideration is required, the amendment as a whole will not be entered. However, if this amendment only contained the changes to claim 6, then this amendment would be entered because it clears up an existing 112 issue without changing the scope of the claim. The prior art rejection to claim 6, however, would still be applicable.

Also, it should be noted that the applicant's arguments with respect to the unamended claims have been fully considered but are not persuasive. All of these claims are therefore still rejected in view of the same prior art as before. The examiner will not repeat the rejections from the previous action herein. Claims 1-13, 15-16, 19, 21, and 22 are still pending in this application.

With regard to applicant's argument that that the combination of Fang and Asimopoulos does not disclose all the features of claim 1 because only two pixels are compared in the Asimopoulos reference, the examiner does not find this argument persuasive. Asimopoulos clearly meets the limitation of comparing a plurality of pixels located on lines passing near the target pixel in specific directions as is shown in Figure 6 of the Asimopoulos reference. Is applicant arguing that two pixels is not a 'plurality of pixels'? These pixels are clearly located on lines which pass near the target pixel as can be seen in figure 6.

With regard to applicant's argument that the Okisu reference does not disclose the direction dependent low pass filtering step, the examiner would like to make note of the fact that the limitation of the direction dependent low pass filtering step was met by the Fang reference, and that Okisu was merely brought in for the color limitations. Therefore, even if Okisu doesn't meet all of the limitations of the claim, this is inconsequential, because the claim was rejected in view of the combination of Fang and Okisu, not merely Okisu.



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